

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

JAMES GARNER,

Petitioner,

v.

RALPH DIAZ,

Respondent.

No. 2:20-cv-02143 TLN DB P

ORDER

Petitioner is a state prisoner proceeding pro se with a petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. On December 21, 2021, respondent filed an answer to the petition. (ECF No. 16.) Thereafter, petitioner indicated that he had not received respondent's answer or the documents lodged along with the answer. (ECF No. 20.) The court ordered respondent to re-serve the answer and notice of lodging on petitioner. (ECF No. 21.) On November 2, 2023, petitioner notified the court that he did not receive the re-served documents. (ECF No. 23.) The undersigned directed petitioner to notify the court of his current mailing address. (ECF No. 25.) Petitioner filed a notice of change of address dated December 5, 2023. (ECF No. 26.) He has also requested an extension of time to submit a traverse. In support of his request he states that this is his first request for an extension of time, he received the respondent's answer on November 22, 2023, he needs time to conduct research, and he has limited access to the law library. (ECF No. 27 at 1-2.)

1 Good cause appearing, the court will grant the motion. Accordingly, IT IS HEREBY
2 ORDERED that:

- 3 1. Petitioner's motion for an extension of time (ECF No. 27) is granted; and
- 4 2. Petitioner shall file a traverse on or before February 22, 2024.

5 Dated: January 8, 2024

6 /s/DEBORAH BARNES
7 UNITED STATES MAGISTRATE JUDGE
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